

B&amp;W 000241.00003

# **JOINT DECLARATION AND POWER OF ATTORNEY PCT U.S. NATIONAL PHASE APPLICATION**

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **GROWTH OF FOREIGN CELLS IN FETAL ANIMALS FACILITATED BY CONDITIONAL AND SELECTIVE DESTRUCTION OF NATIVE HOST CELLS**,

the specification of which:

- ☐ is attached hereto.  
☒ was filed on March 14, 2005 as Application Serial Number 10/527,587 and was amended on March 14, 2005 (if applicable).  
☒ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. PCT/US2003/029251, filed September 17, 2003, and amended on \_\_\_\_\_ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

## **Prior Foreign Application(s)**

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (Day, Month, Year)	Date of Issue (Day, Month, Year)	Priority Claimed Under 35 U.S.C. §119

## **Prior United States Provisional Application(s)**

We hereby claim priority benefits under Title 35, United States Code, §119(c)(1) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Date of Filing (Day, Month, Year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/411,790	19 September 2002	Yes

## **Prior United States Application(s)**

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status X Patented, Pending, Abandoned

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**Power of Attorney**

And we hereby appoint, both jointly and severally, as our attorneys, all Banner & Witcoff, Ltd. attorneys indicated therein under PTO Customer Number 22907, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office.

All correspondence and telephone communications should be addressed to:

Banner & Witcoff, Ltd.  
Customer Number: 22907 (WDC)

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature William S Beschorner Date February 16, 2006  
Full Name of First Inventor Beschorner William E.  
Family Name First Given Name Second Given Name  
Residence Omaha, Nebraska Citizenship US  
Post Office Address 2614 North 161 Avenue, Omaha, Nebraska, 68116

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Full Name of Second Inventor SOSA Carlos E.  
Family Name First Given Name Second Given Name  
Residence Omaha, Nebraska Citizenship US  
Post Office Address 3716 Hawthorne Avenue, Omaha, Nebraska, 68131

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Full Name of First Inventor THOMPSON Scott C.  
Family Name First Given Name Second Given Name  
Residence Omaha, Nebraska Citizenship US  
Post Office Address 622 S. 36<sup>th</sup> Street, Apartment #2, Omaha, Nebraska, 68105

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> Application of:	)	Group Art Unit: TBA
	)	
William Beschorner <i>et al.</i>	)	Examiner: TBA
	)	
Serial No.: 10/527,587	)	Atty. Docket No. 000241.00003
	)	
Filed: March 14, 2005	)	

For: **GROWTH OF FOREIGN CELLS IN FETAL ANIMALS FACILITATED BY  
CONDITIONAL AND SELECTIVE DESTRUCTION OF NATIVE HOST CELLS**

**DECLARATION OF NATHAN D. BILLS**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

I, Nathan D. Bills, declare as follows:


1. I am Vice President & Chief Operating Officer of Ximerex, Inc., located at 983285 Nebraska Medical Center, University Hospital #3118, Omaha, NE 68198-3285.
2. I have tried to contact Carlos E. Sosa and Scott C. Thompson regarding execution of the Joint Assignment and Joint Declaration for this application. I have been unable to locate either of them.
3. Carlos E. Sosa is an Argentine national whose last known address was at the University of California at San Diego. I was unable to find him in the campus directory, and a

search of phone books in the greater San Diego area yielded no results. A search using Qwest DexOnline for the San Diego and surrounding areas yielded only one Carlos Sosa residing in Chula Vista, California. Upon calling this number we determined that the resident was not the Carlos Sosa who is listed as an inventor on this patent application. We also did a search using Google and were unable to locate Dr. Sosa.

4. Scott C. Thompson's last known address was 622 S. 36th Street, Omaha, NE 68105. The phone number listed for Mr. Thompson is (402) 341-5350, which is no longer in service. A FEDEX letter with the Joint Assignment and Joint Declaration to the Omaha address was returned as undeliverable. We have been unable to find Mr. Thompson in the phone book in Nebraska or the surrounding areas.

5. The statements I made in this declaration of my own knowledge are true and correct. I believe that the statements I made in this declaration based on information or belief are true and correct. I have been warned that willful false statements and the like can be punished by fine, imprisonment, or both (18 U.S.C. § 1001).

Dated: 2/20/06

  
\_\_\_\_\_  
Nathan D. Bills, M.B.A., Ph.D.